

REFERENCE TITLE: county formation; technical correction

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2195

Introduced by
Representative Nelson

AN ACT

AMENDING SECTION 11-135, ARIZONA REVISED STATUTES; RELATING TO COUNTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 11-135, Arizona Revised Statutes, is amended to
3 read:

4 11-135. Filing of petition; review; certification of results

5 A. Completed petitions shall be filed with the secretary of state. All
6 copies and counterparts of the petition shall be filed at the same time.

7 B. The secretary of state shall not accept the petition unless the
8 signatures have been obtained and the petition is submitted for filing,
9 within two hundred seventy days after the filing of the notice of intention
10 to circulate petitions. If the petition does not meet this requirement, the
11 petition is insufficient and the secretary of state shall file it as a public
12 record without prejudice to the filing of a new petition and immediately
13 notify BY CERTIFIED MAIL the person or organization proposing the new
14 counties stating the reason for the insufficiency.

15 C. On receipt of a petition which meets the requirements of subsection
16 B, the secretary of state shall immediately transmit a copy to the county
17 recorder of each affected county with an order to examine the signatures from
18 his respective county within twenty days. The recorder shall compare the
19 names of a random sampling of at least five per cent of the persons from his
20 county signing the petition with the county registration records and certify
21 the results to the secretary of state.

22 D. After the secretary of state receives the results from all affected
23 county recorders, he shall determine whether the petition is sufficient. If
24 the petition is insufficient, the secretary of state shall immediately notify
25 by certified mail the person or organization proposing the formation of the
26 new counties and the clerk of the board of supervisors of each affected
27 county stating the reason for the insufficiency and file the petition as a
28 public record without prejudice to the filing of a new petition. If the
29 petition is sufficient, the secretary of state shall immediately transmit
30 copies of his certification to the person or organization proposing the new
31 counties, the clerk of the board of supervisors of each affected county, the
32 president of the senate, the speaker of the house of representatives, each
33 legislator whose district is in an affected county, the attorney general and
34 the governor.

35 E. A petition may not be filed under this section within three years
36 of the date of certification of a prior petition which included in its
37 description of boundaries for a proposed county any territory which is the
38 subject of the new petition.